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FAX COVER SHEET

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FAX NUMBER TRANSMITTED TO: (703) 872-9307

To: Yong D. Pak
 Of: US Patent Office Art Unit 1652
 Telephone: (703) 308-9363
 From: Howard Eisenberg
 Serial No.: 09/866,060
 Atty Docket: HME/8134.0003
 Date: July 15, 2003

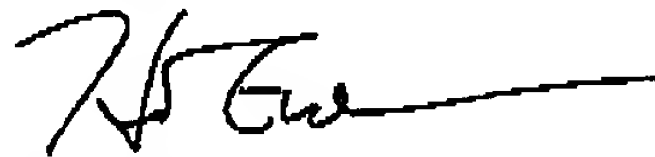
DOCUMENTS	NUMBER OF PAGES*
Response to Advisory Action of July 8, 2003	Two
Transmittal Form	One

COMMENTS:

Examiner Pak,

I attempted two times to fax these documents to you at the number you gave me during our interview today, 703-746-3173, but the fax transmission failed both times. Therefore, I am sending you this fax at the fax number indicated for after final communications on page 3 of the outstanding Advisory Action. Please contact me at the above email address to confirm that you have received this transmission. Thank you.

Howard Eisenberg




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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/866,060
		Filing Date	May 25, 2001
		First Named Inventor	James W. Whittaker
		Group Art Unit	1652
		Examiner Name	Yong Pak
Total Number of Pages in this Submission	2	Attorney Docket Number	HME/8134.0003

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee transmittal form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> After Final/ Response <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing Related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosures (identify below)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Howard Eisenberg, Esq. 1600 ODS Tower, 601 Second Avenue Portland, Oregon 97204
Signature	
Date	July 15, 2003

CERTIFICATE OF MAILING			
I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 <input checked="" type="checkbox"/> with sufficient postage as first class mail <input type="checkbox"/> as "Express Mail Post Office to Addressee" - mailing label no. _____			
Type or print name	Howard Eisenberg		
Signature		Date	July 15, 2003

Atty Doc. No. HME/8134.003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of :
James W. Whittaker and Mei M. Whittaker : Group Art Unit: 1652
Serial No. 09/866,060 : Examiner: Yong Pak
Filed: May 25, 2001 : 703-308-9363
For a Patent for : 703-746-3173 (fax)
EXPRESSION AND PURIFICATION OF :
GALACTOSE OXIDASE : Date: July 15, 2003

#21
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RESPONSE TO ADVISORY ACTION OF JULY 8, 2003

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is submitted following the mailing of an Advisory Action on July 8, 2003 and a telephonic interview with the Examiner on July 15, 2003.

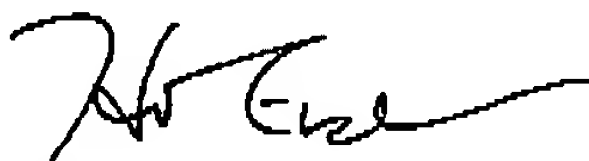
In the Advisory Action, the Examiner indicated that the Amendment filed on June 2, 2003 would not be entered because (1) the Amendment raises new issues that would require further consideration and/or search, and (2) the Amendment presented additional claims without canceling a corresponding number of finally rejected claims. The new issue presented in the claims in the Amendment of June 2, 2003 is the feature of the two temperatures during culturing the transformed yeast cell and induction of the promoter.

During the interview, the undersigned attorney for Applicants pointed out that the feature of the two temperatures had been in the claims as of a previous Amendment filed on January 27, 2003. At that time, claim 17, calling for the two temperatures, was added as a dependent claim from claim 1. In the Amendment of June 2, 2003, after Final Rejection, the feature of the dependent claim 17 was added to independent claim 1. Thus, the present Amendment concerning the feature of the two temperature does not raise new issues.

During the interview, the attorney also pointed out that a sufficient number of finally rejected claims were canceled. In fact, the Amendment of June 2, 2003 added two new claims, 21 and 22, and canceled 8 claims, 6-8, 10-11, 16-17, and 19.

During the Interview, the Examiner indicated that, in response to the attorney's remarks, the Amendment of June 2, 2003 would be entered.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited by facsimile transmission to the Patent and Trademark Office at (703) 872-9307 on July 15, 2003.

Dated: July 15, 2003



Howard M. Eisenberg